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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA — SAN JOSE DIVISION

DAVID GIUSTO,

Plaintiff,

vs.

EXPERIAN INFORMATION SOLUTIONS,
INC.; et. al.,

Defendants.

Federal Case No.: 5:16-CV-04367-BLF

**PLAINTIFF'S NOTICE OF VOLUNTARY
DISMISSAL OF DEFENDANT ALLIANT
CREDIT UNION PURSUANT TO
FEDERAL RULE OF CIVIL
PROCEDURE 41(A)(1)**

PLEASE TAKE NOTICE that Plaintiff David Giusto, pursuant to Federal Rule of Civil Procedure 41(a)(1), hereby voluntarily dismisses Defendant Alliant Credit Union, as to all claims in this action with prejudice

Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

41(a) Voluntary Dismissal

(1) By the Plaintiff

(a) Without a Court Order. Subject to Rules 23(3), 23.1(c), 23.2, and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(1) a notice of dismissal before the opposing party serves either an answer

1 or a motion for summary judgment.

2 Defendant Alliant Credit Union, has neither answered Plaintiff's Complaint, nor filed a
3 motion for summary judgment. Accordingly, the matter may be dismissed against it for all
4 purposes and without an Order of the Court.

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6 Dated: December 7, 2016

Sagaria Law, P.C.

7 By: /s/ Elliot W. Gale
8 Elliot W. Gale
9 Attorneys for Plaintiff
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